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PATENT DEPT 3 REF
DIVISION
Room 357

NEL-0018

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

2004 AUG 23 PM 2: 27

In patent application of

R. Elaine Fulton et al.

Confirmation No. 1520

Application No. 10/784,305

Group Art Unit: 1645

Filed: February 24, 2004

Examiner: unassigned

Title: GENETIC ENGINEERING OF STREPTAVIDIAN-BINDING...

REQUEST FOR REFUND

Commissioner for Patents
Alexandria, VA 22313-1450

Attn: Refund Section, Accounting Division, Office of Finance

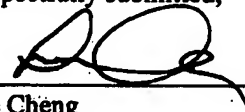
Sir:

The applicant, through their attorneys, hereby submits a Request for Refund of fees charged to Deposit Account 18-0013, in the above-identified application. The fee for filing an Information Disclosure Statement (IDS) of \$180.00 was improperly charged on June 14, 2004. The fee charged was for the submission of an IDS filed on June 10, 2004. Upon review of the IDS, it is noted the IDS was filed before the mailing of a first action on the merits. Since the IDS was filed before the mailing date of a First Office action on the merits, no fee is believed to have been due. Therefore, a refund in the amount of \$180 to deposit account 18-0013 is respectfully requested.

For the convenience of the USPTO, we are enclosing a date stamped copy of the postcard as proof of filing on June 10, 2004 and a copy of the Monthly Statement of Deposit Account showing the charge of \$180.00.

Date: August 16, 2004

Respectfully submitted,



Lee Cheng
Registration No. 40,949

RADER, FISHMAN & GRAUER PLLC
1233 20TH Street, N.W., Suite 501
Washington, D.C. 20036
Telephone: (202) 955-3750



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Patent Division

2004 AUG 23 PM 2: 27

Atty Docket No.: NEL-0018

Inventor: R. Elaine Fulton et al.

Application No.: 10/784,305-Conf. #1520 Filing Date: February 24, 2004
Title: GENETIC ENGINEERING OF STREPTAVIDIN-BINDING PEPTIDE TAGGED
SINGLE-CHAIN VARIABLE FRAGMENT ANTIBODY TO VENEZUELAN
EQUINE ENCEPHALITIS VIRUS

Documents Filed:
Information Disclosure Statement with PTO-SB08 (5 References)



Via: Courier
Sender's Initials: YY/LC/cdr

Date: June 10, 2004

Handwritten marks: a squiggle and a circled 'P' with 'pl' next to it.

UNITED STATES
PATENT AND
TRADEMARK OFFICE

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MONTHLY STATEMENT
OF DEPOSIT ACCOUNT

2004 AUG 23 PM 2:27

Under Secretary of Commerce for Intellectual Property and
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RADER FISHMAN & GRAUER
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BLOOMFIELD HILLS MI 48304

FINA

Account No.	180013
Date	6-30-04
Page	9

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MO.	DAY	YR.						
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AN AMOUNT SUFFICIENT TO
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OPENING BALANCE TOTAL CHARGES TOTAL CREDITS CLOSING BALANCE



JFW /B/

Docket No.: NEL-0018
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
R. Elaine Fulton et al.

Application No.: 10/784,305

Confirmation No.: 1520

Filed: February 24, 2004

Art Unit: 1645

For: GENETIC ENGINEERING OF
STREPTAVIDIN-BINDING PEPTIDE
TAGGED SINGLE-CHAIN VARIABLE
FRAGMENT ANTIBODY TO
VENEZUELAN EQUINE ENCEPHALITIS
VIRUS

Examiner: Not Yet Assigned

INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Submitted herewith on Form PTO-1449 or PTO/SB/08 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR 1.56. Applicant respectfully requests that the listed documents be considered by the Examiner and formally be made of record in the present application and that an initialed copy of Form PTO-1449 or PTO/SB/08 be returned in accordance with MPEP §609.

- ☒ A copy of each listed document is being submitted to comply with the provisions of 37 CFR §§1.97 and 1.98

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* prior art reference against the claims of the present application.

- ☒ 1. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits in the present application. **No fee is required** (37 C.F.R. §1.97(b)). The Patent Office is **NOT AUTHORIZED** to charge deposit account 18-0013 under 37 CFR §§ 1.97(c)(2) and 1.17(p). However, **ONLY IF** a first Office Action on the merits was mailed before filing of this Information Disclosure Statement,

6/14/2004 HLE333 00000114 180013 10784305

1 FC:1806- 180.00 DA

Adjustment date: 09/24/2004 EEKUBAY1
06/14/2004 HLE333 00000114 180013 10784305
01 FC:1806 180.00 CR